IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE GHULAM MOHAMMED

WRIT APPEAL NO : 322 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 21/02/2005 in WP NO.17696 OF 2003 on the file of the High Court.)

Between:

T.P. Ch. Rao, E- 55310, S/o. Musalayya,
Vijayawada Depot, R/o. Vijayawada, Krishna District.

..... APPELLANT

AND

1 The APSRTC, Rep. by its Managing Director, Musheerabad, Hyderabad.
2 The Regional Manager, APSRTC, Krishna Region, Vijayawada,

Krishna District.
3 The Depot Manager, APSRTC, Vijayawada Depot, Krishna District.

.....RESPONDENTS

Counsel for the Appellant: MR.S.M.SUBHAN

Counsel for the Respondents: MR.R.MANMADHA REDDY

The Court made the following:

JUDGMENT**: (per Sri J.Chelameswar)**

Aggrieved by an order, dated 21.02.2005, passed by the learned single judge in W.P.No.17696 of 2003, the unsuccessful petitioner preferred this appeal.

The petitioner was working as Conductor in the respondent-Corporation. On an allegation of mis-conduct, a departmental enquiry was conducted and ultimately, by an order, dated 04.07.2002, passed by the third respondent, the appellant was removed from the service of the respondent-Corporation and it was also ordered that the period of suspension pending enquiry will be treated as the period 'not on duty'.

Aggrieved by the said order, the appellant carried the matter in appeal to the Divisional Manager, Vijayawada, of the respondent-

Corporation. The said appeal was rejected by an order dated 26.11.2002, which was confirmed by the review authority on 29.04.2003. Hence, the above-mentioned writ petition.

The learned single judge dismissed the writ petition at the stage of admission itself on the ground that the appellant herein has an effective alternative remedy by way of an Industrial dispute.

In the background of the above-mentioned facts, we do not see any reason to interfere with the order under appeal.

The writ appeal is accordingly dismissed. No order as to costs.

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J. CHELAMESWAR , J

28.02.2005

dr

_____ ***GHULAM MOHAMMED, J***

To

1 The Managing Direcotr, A.P.S.R.T.C., Musheerabad, Hyderabad.
2 The Regional Manager, APSRTC, Krishna Region, Vijayawada,

Krishna District.
3 The Depot Manager, APSRTC, Vijayawada Depot, Krishna District.

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